PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 0000054936		FOR FURTHER ACTION	ON	See Form PCT/IPEA/416	
International application No. PCT/EP2004/010721			International filing date (date 24.09.2004	ay/month/year)	Priority date (day/month/year) 30.09.2003
Applican		D06	onal classification and IPC P1/52, D06M15	5/356, DO	6P3/60
1.			ninary examination report, e applicant according to Art	•	International Preliminary Examining Authority
2.	This REPORT con	sists of a total of	6	sheets, including	ng this cover sheet.
3.	This report is also a	accompanied by A	NNEXES, comprising:		
	a. (sent to	the applicant and	to the International Bureau) a total of	sheets, as follows:
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).				
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental				
	Box. b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))				
	, containing a sequence listing and/or tables				
	related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).				
4.	This report contain	s indications relati	ng to the following items:		
	Box No. I	Basis of the	report		
	Box No. II	Priority			
	Box No. II	I Non-establi	shment of opinion with rega	rd to novelty, inven	tive step and industrial applicability
	Box No. IV	/ Lack of uni	ty of invention		
	Box No. V		atement under Article 35(2) d explanations supporting su	-	elty, inventive step or industrial applicability;
	Box No. V	I Certain doc	uments cited		
	Box No. V	II Certain defe	ects in the international appli	ication	
	Box No. V	III Certain obs	ervations on the internationa	l application	
Date of submission of the demand		Date	of completion of the	nis report	
Name and	Name and mailing address of the IPEA/EP			norized officer	
5					
Facsimile No.			Tele	phone No.	

International application No.
PCT/EP2004/010721

Box	No. I	Basis of the report		
1.		h regard to the language , this report is based on the internaticated under this item.	onal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original langument which is the language of a translation furnished for the pure international search (Rule 12.3 and 23.1(b)) publication of the international application (Rule 12.1) international preliminary examination (Rule 55.2 and 15.2).	eposes of:	,
2.	rece	th regard to the elements of the international application, this iving Office in response to an invitation under Article 14 of report): the international application as originally filed/furnished the description:	s report is based on (replacement :	
		pages 1-18 pages*		as originally filed/furnished
		pages*		
	\square		_ received by this radiionty on	
		nos.		as originally filed/furnished
		nos.*		er with any statement) under Article 19
		nos.* 1-11		11.06.2005 with letter
		nos.*		
		the drawings:		
		sheets		as originally filed/furnished
		sheets*		
		sheets*		
		a sequence listing and/or any related table(s) – see Supple:		
3.	\Box	The amendments have resulted in the cancellation of:	2 1	
		the claims, nos.		
4.		This report has been established as if (some of) the amer they have been considered to go beyond the disclosure as	ndments annexed to this report and	l listed below had not been made, since
		the description, pages		
		the claims, nos.		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	em 4 applies, some or all of those sheets may be marked "su	perseded."	

International application No.
PCT/EP2004/010721

Box No. V		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				
1.	Statement	-	_	-		
	Novelty (N)		Claims	Claims _ 1-11		
	Inventive step (IS)		Claims	1-11	YES	
	Industrial applicability (IA)		Claime	1-11	YES	
2.		nd explanations (Rule				
	1.	_		kes reference to the following		
		document:				
	_ 0					
	D3:			(CIBA SPECIALTY CHEMICALS HOLDING		
		INC), 17	Decemb	ber 1997 (1997-12-17)		
	2.	INDEPENDE	NT CL	AIM 1		
		Document	D3 is	regarded as the prior art closest		
		to the su	bject	matter of claim 1 and discloses		
		(cf. exam	ples :	32 and 33) a process for treating		
		cellulose	-conta	aining textiles from which the		
		subject m	atter	of claim 1 differs in that:		
		(1) a pr	elimi	nary treatment is carried out, and		
		(2) the	copoly	ymer is partially hydrolysed.		
		The subje	ct mat	tter of claim 1 is thus novel (PCT		
		Article 3	3 (2))			
		The prese	nt in	vention can therefore be considered		
		to addres	s the	problem of devising a process for		
		treating	cellui	lose-containing textiles which		
		avoids ri	ng dy	eing.		

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) because D3 (cf. page 5, lines 34-38) states that the process described therein can be a preliminary treatment; it would thus be obvious for a person skilled in the art to include the above-mentioned feature 1. However, D3 does not indicate that the use of a partially hydrolysed copolymer in accordance with the present claim 1 could avoid ring dyeing.

3. DEPENDENT CLAIMS 2-6

Claims 2-6 are dependent on claim 1 and thus also meet the PCT novelty and inventive step requirements.

4. INDEPENDENT CLAIM 7

Document **D3** is regarded as the prior art closest to the subject matter of claim 7 and discloses (cf. **examples 32 and 33**) a cellulose-containing textile from which the subject matter of claim 7 differs in that a partially hydrolysed copolymer is located on the textile.

The subject matter of claim 7 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of providing a cellulose-containing textile which can be dyed without undesirable ring dyeing.

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The solution to this problem, as proposed in claim 7 of the present application, involves an inventive step (PCT Article 33(3)) because D3 does not indicate that ring dyeing could be avoided if a partially hydrolysed copolymer in accordance with the present claim 1 were applied to the textile.

5. CLAIMS 8-10

The subject matter of claims 8 and 9 is characterised by the subject matter of claim 7, and thus also meets the PCT novelty and inventive step requirements.

Claim 10 is dependent on claim 9 and thus also meets the PCT novelty and inventive step requirements.

6. INDEPENDENT CLAIM 11

Document **D3** is regarded as the prior art closest to the subject matter of claim 11 and discloses (cf. **examples 32 and 33**) a dyed cellulose—containing textile from which the subject matter of claim 11 differs in that a partially hydrolysed copolymer in accordance with the present claim 1 is located on the textile.

The subject matter of claim 11 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered

International application No.
PCT/EP2004/010721

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	to address the problem of providing a dyed
	cellulose-containing textile without ring dyeing.
	The solution to this problem, as proposed in claim
	11 of the present application, involves an
	inventive step (PCT Article 33(3)) because D3 does
	not indicate that ring dyeing could be avoided if
	a partially hydrolysed copolymer in accordance
	with the present claim 1 were applied to the
	textile.
1	